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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,833	03/14/2001	Yoji Okazaki	699866/0041	4447

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180 Maiden Lane
New York, NY 10038

EXAMINER

NGUYEN, MICHELLE P

ART UNIT PAPER NUMBER

2851

DATE MAILED: 01/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Applicati n N .

09/805,833

Applicant(s)

OKAZAKI, YOJI

Examiner

Michelle Nguyen

Art Unit

2851

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 December 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: The proposed amendments are the new issues.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-28.

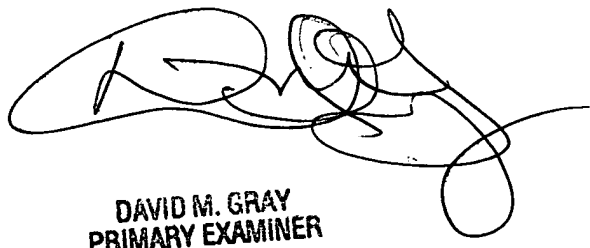
Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because:

With regard to claim 1, Den Baars et al. teach an excitation solid laser unit (solid state laser 220; see Fig. 3), having a solid-state laser crystal (active medium 244; see Col. 3, lines 3-6, Col. 5, lines 50-3) doped with erbium (see Col. 5, line 65 to Col. 6, line 1) and a gallium nitride semiconductor laser element (LED structure 226; see Col. 5, lines 25-32) emitting excitation light at a wavelength of 440nm (see Col. 5, lines 32-8) for exciting the solid-state laser crystal (see Col. 5, lines 53-9), to be employed as at least one of red, green and blue laser light sources (see Col. 2, lines 24-8). Although Den Baars et al. teach explicitly the active medium 244 to be doped with erbium instead of praseodymium, Den Baars et al. teach both erbium and praseodymium to be among a group of rare earth metals suitable for doping a solid-state laser crystal (see Col. 3, lines 3-8, Col. 4, lines 6-16). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use replace the erbium of Den Baars et al. with praseodymium as alternative means for providing a dopant.

With regard to claim 8, Knize teaches a fiber laser unit (fiber laser 49 or 58, see Figs. 3d, 4d), having a fiber with a praseodymium-doped core (see Col. 4, lines 56-8, Col. 5, lines 24-9), to be employed as at least one of red, green and blue (green and blue, see Figs. 3d, 4d) laser light sources. Although Knize does not teach either of the fiber lasers 49 and 58 to have a gallium nitride semiconductor laser element, Den Baars et al. teach the employment of a gallium nitride semiconductor laser element (LED structure 226; see Col. 5, lines 27-32) to be advantageous because the entire visible region of the wavelength spectrum, including blue, green and red light, can be pumped (see Col. 2, lines 24-8). Further, Den Baars et al. teach the LED structure 226 to emit excitation light at a wavelength of 440 nm for exciting an active medium (see Col. 5, lines 50-9) doped with erbium (see Col. 5, line 65 to Col. 6, line 1). Although Den Baars et al. do not teach the active medium to be a fiber, the active medium of Den Baars et al. is considered to be analogous to the fiber of Knize because the active medium of Den Baars et al. and the fiber of Knize are doped with erbium and praseodymium, respectively, both which are rare earth metals suitable for doping (see Col. 4, lines 6-16). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the laser unit of Knize such that it comprises the gallium nitride semiconductor laser element of Den Baars et al. so that the entire visible region of the wavelength spectrum can be pumped.



DAVID M. GRAY
PRIMARY EXAMINER